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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,764	12/11/2003	William Kress Bodin	AUS920030835US1	1941

34533 7590 04/18/2007 INTERNATIONAL CORP (BLF) c/o BIGGERS & OHANIAN, LLP P.O. BOX 1469 AUSTIN, TX 78767-1469	**EXAMINER** PATEL, MANGLESH M

ART UNIT	PAPER NUMBER
2178	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/18/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

	Application No.	Applicant(s)
Office Action Summary	10/734,764	BODIN ET AL.
	Examiner	Art Unit	
	Manglesh M. Patel	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *Septermber 27, 2006*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-24* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-24* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This is a <u>Final Office Action</u> on the merits.   This action is responsive to the amendment filed September 27,

2006

2.   Claims 1-24 are currently pending in the case, with claims 1, 9, and 17 being the independent claims.

3.   The double patenting rejection is maintained.

4.   Claims 1-24 are rejected.

Withdrawn Rejections

5.   The double Patenting rejection of claims 1, 3, 4, 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 20, 23, and 24 have

been withdrawn in light of the filed terminal Disclaimer.

General Comments re: Terminology

6.   It is noted that the claims specify a number of non-standard terms that define the invention. To clarify the

Examiner's reading of the claims, the following definitions are derived from the claims and specifications and stated

using standard terminology:

"Presentation document"

A "presentation document" id defined in the specification as the combination of elements of the

structured document and presentation grammar." See, disclosure, page 2, lines 3-5.

In the broadest reasonable interpretation of the claims, the term "presentation document" is

comprised of two parts, the structural document part, and the functionally operation part, as interpreted by

the Examiner as follows:

Structurally, a markup language document (such as XML or HTML) is tagged to individually identify

sections of the document (such as pages, paragraphs, titles, headings, etc.).

Functionally, certain keywords are created that, when spoken, cause the program to perform a

certain function (such as keyword "page down," which, when spoken, will cause the program to go to the

next page of the document).

In summary, there are two parts to the invention -- the markup language document itself, with tags

to delimit sections, and methods that when used, will effect the document on a section-by-section basis.

"Structured document"

A document with structural elements such as pages, paragraphs, cells, titles, and the like marked

with "structural identifiers."

See, disclosure, page 2, lines 5-7.

"Structural identifiers" or "structural element identifiers"

Upon review of the claims and specification, the two terms are read a meaning the same limitation,

and they will be read as being interchangeable for the remainder of this Office Action.

A "structural element identifier" is read as a markup language tag identifying the structural element

identifiers, such as <page>, <paragraph>, <row>, <column>, <cell>, <slide>, <jpeg>, <title>, <heading>,

<subheading>, and so on. Typical tags would be such as those used in HTML or XML.

See, figure 5, element 318, and see, disclosure, pages 2 and 11.

"Structural elements"

"Structural elements" are read as parts of a document including pages, paragraphs, rows, columns,

cells, slides, titles, heading, subheadings, etc.

See, disclosure, pages 2 and 11.

"Classifying" structural elements

"Classifying" structural elements is read as inserting tags to create a structured document.

See, related patent application 10/733,941, claims 2-3.

"Presentation attribute"

"Presentation attributes are read as names of groups of individual users, used to identify which

users will be shown which data. For example, the department name of "research" would allow employees in

the research department to review material, however employees in "Sales" may not be permitted access.

Examples of presentation attributes include "company names, department names, security levels, technical

levels, and so on."

See, disclosure, page 8, lines 11-16.

"Presentation grammar"

A "presentation grammar is read as the element receiving the "presentation action identifier" (e.g.,

"PgDn," PgUp," or "next Paragraph") that communicates the selected action to the server.

See, disclosure, page 29.

The "presentation grammar empowers a presenter to invoke the presentation actions using

speech" when the "presentation action identifiers" are verbally selected by use of "key phrases."

See, figure 5, elements 516 and 518, and disclosure, page 2, lines 3-12.

"Grammar elements" or "User grammar elements"

Upon review of the claims and specification, the two terms are read a meaning the same limitation,

and they will be read as being interchangeable for the remainder of this Office Action.

A "user grammar element" is read as the combination of the following:

1) an "identifier of a structural element," such as <page> or <paragraph>;

2) a "key phrase" for invoking a presentation action, such as "page up," "page down," or "next

paragraph."

3) an "action identifier" representing the presentation action, such as "PgDn," PgUp," or "next

Paragraph."

See, figure 5, elements 516, 518, and 318, and disclosure, page 27, lines 22-27, and page 5, lies

5-7.

Claims Rejections – 35 U.S.C. 102

7.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the

rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public
use or on sale in this country, more than one year prior to the date of application for patent in the United
States.

8.   Claims 1-7, 9-15, and 17-23 remain rejected under 35 U.S.C. 102(b) as being clearly anticipated by Raman

(U.S. Patent 5,748,186), issued May 5, 1998 [hereinafter "Raman"].

Regarding **dependent claim 1**, Raman teaches:

A method for creating a presentation document, the method comprising:

creating, in dependence upon an original document, a structured document comprising one or

more structural elements; and

(See, Raman, col. 2, lines 18-35. See also, Raman, col. 3, lines 6-11, teaching retrieving a document and converting

the information to a "common intermediate representation" with a structure of the information.)

> creating a presentation grammar for the structured document, wherein the presentation grammar
>
> for the structured document includes grammar elements each of which includes a structural element
>
> identifier for at least one structural element of the structured document.

(See, Raman, col. 6, lines 29-31, teaching that control signals can include recognized speech, which inherently

includes a grammar to be recognized. Further, see, Raman, claims 14 and 22, teaching interactivity of the system

accomplished using only speech.)

Regarding **dependent claim 2**, Raman teaches:

> The method of claim 1 wherein creating a structured document further comprises inserting in the
>
> structured document structural element identifiers for the structural elements.

(See, Raman, Col. 5, lines 21-32, teaching changing structural element identifiers, rendering methods, to

accommodate different renderings. The various changed identifiers amounting to differing styles for the structured

document.)

Regarding **dependent claim 3**, Raman teaches:

> The method of claim 1 wherein creating a structured document further comprises converting
>
> existing structural element identifiers from the original document to structural element identifiers for the
>
> structural elements of the structured document.

(See, Raman, col. 2, lines 18-34, and col. 3, line 6 through col. 4, line 76, teaching receiving original documents, e.g.:

rendered in HTML, which is a structured document language, and parsing the data to a structured hierarchical

attributed tree. See also, Raman, figure 3, element 330 identifying <title> and element 361 identifying <p> for

paragraph.)

Regarding **dependent claim 4**, Raman teaches:

> The method of claim 1 wherein creating a presentation grammar for the structured document
>
> comprises:
>
> identifying the content type of the original document;

(It is noted that "identifying the content type of the original document" is disclosed as follows: "identifying the content type may be carried out by identifying the content type in dependence upon a filename extension. In other embodiments, identifying the content type is carried out by identifying the content type in dependence upon document header elements." See, disclosure, page `3, lines 17-21.

See, Raman, col. 5, lines 47-56, teaching retrieval, recognition, and presentation of an HTML document, as an example of the invention. See also, Raman, col. 3, lines 6-8, teaching a "recognizer 130" coupled to the receiver 120, to convert information 11 into a common intermediate high-level logical data structure 200, the recognizer must inherently identify and know the content type of the original document in order to process it. See also, Raman, figure 3, element 330 identifying <title> and element 361 identifying <p> for paragraph.)

> selecting, in dependence upon the content type, a full presentation grammar from among a
> multiplicity of full presentation grammars; and

(See, Raman, col. 3, lines 8-20, teaching, for example, presentation of aural information by a speech synthesizer, monitor, Braille and by animated cartoon. See also, Raman, col. 3, lines 30-34, teaching the use of a voice input speech recognizer to control the presenter of the content types.)

> filtering the full presentation grammar into a presentation grammar for the structured document in
> dependence upon the structural elements of the structured document.

(It is noted that filtering the full presentation grammar includes writing from the full presentation grammar to the presentation grammar for the structured document each grammar element having a structural element identifier of a structural element that occurs in the structured document. Applicants' disclosure, page 3 lines 23-26.

See, Raman, col. 2, lines 36-45, teaching the use of "control signals" as "presentation grammar" to control the modality being used to control the presentation. See, Raman, col. 6, lines 30-33, teaching that a control signal may include recognized speech as an input. See, also Raman, col. 3, lines 30-34, teaching that the data retriever and the presentor of the system may be controlled by voice recognized input couple to a speech recognizer. And see, Raman, col. 5, lines 38-46, teaching "navigational methods associated with objects allow the user to browse through the text by taking into consideration the underlying structure of the document." And see, Raman, claim 1, lines 13-15, teaching "presenting the common intermediate representation using a plurality of user communication modalities according to the hierarchical attribute trees." And see, Raman, col. 4, lines 22-27, teaching speech response to aural presentation of stock data. For each type of speech response, it is inherent that there be an associated grammar.)

Regarding **dependent claim 5**, Raman teaches:

> *The method of claim 4 wherein identifying the content type comprises identifying the content type in dependence upon a filename extension.*

(See, Raman, col. 3, lines 41-44, teaching recognizing file type by extension, i.e.: "html." See also, Raman, col. 5, lines 47 through col. 6, line 4, teaching identification of the document by tags, such as <html>. See also, Raman, figure 3, element 330 identifying <title> and element 361 identifying <p> for paragraph.)

Regarding **dependent claim 6**, Raman teaches:

> *The method of claim 4 wherein identifying the content type comprises identifying the content type in dependence upon document header elements.*

(See, Raman, col. 4, lines 38-49, teaching receiving a source document by characters encoded as text as well as marks placed in the text to define the structure, and the "recognizer" to parse the character stream into fundamental source elements, for example, title, sections, sub-sections, paragraphs, sentences, links, forms and so forth. See also, Raman, col. 5, lines 47 through col. 6, line 4, teaching identification of the document by text element tags, such as <head>, <title>, <body> and <p>.)

Regarding **dependent claim 7**, Raman teaches:

> *The method of claim 4 wherein filtering the full presentation grammar comprises writing from the full presentation grammar to the presentation grammar for the structured document each grammar element having a structural element identifier of a structural element that occurs in the structured document.*

(See, Raman, col. 2, lines 36-45, teaching the use of "control signals" as "presentation grammar" to control the modality being used to control the presentation. See, Raman, col. 6, lines 30-33, teaching that a control signal may include recognized speech as an input. See, also Raman, col. 3, lines 30-34, teaching that the data retriever and the presentor of the system may be controlled by voice recognized input couple to a speech recognizer. And see, Raman, col. 5, lines 38-46, teaching "navigational methods associated with objects allow the user to browse through the text by taking into consideration the underlying structure of the document." And see, Raman, claim 1, lines 13-15, teaching "presenting the common intermediate representation using a plurality of user communication modalities according to the hierarchical attribute trees." And see, Raman, col. 4, lines 22-27, teaching speech response to aural

presentation of stock data. For each type of speech response, it is inherent that there be an associated grammar.)

Regarding **claims 9-15**, claims 9-15 incorporate substantially similar subject matter as claimed in claims 1-8, respectively, and are rejected along the same rationale.

Regarding **claims 17-23**, claims 17-23 incorporate substantially similar subject matter as claimed in claims 1-8, respectively, and are rejected along the same rationale.

It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

Claims Rejection – 35 U.S.C. 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10.   Claim 8 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Raman as applied to claim 1 above, and further in view of Josephson, (U.S. Patent Publication 2003/0023435 A1), published January 30, 2003 [hereinafter "Josephson"].

Regarding **dependent claim 8**, Raman in view of Josephson teaches:

The method of claim 4 wherein the full grammar comprises a multiplicity of grammar elements for

the content type, wherein each grammar element includes:

an identifier of a structural element;

a key phrase for invoking a presentation action; and

a presentation action identifier representing a presentation action.

(The key phrase function is inherent in Raman, but not expressly taught. See, Raman, col. 6, lines 30-33, teaching that a control signal may include recognized speech as an input. See, also Raman, col. 3, lines 30-34, teaching that the data retriever and the presentor of the system may be controlled by voice recognized input couple to a speech recognizer. And see, Raman, col. 4, lines 22-27, teaching speech response to aural presentation of stock data. For each type of speech response, it is inherent that there be an associated grammar and for each grammar that there be an identifier of the object to be acted upon, a signal for the action, and a presentation of the action signaled. In corporation of the grammar elements in a central file or in a separate file for each media type is a design decision between art recognized equivalents, namely placing controls in one or several files. In general, Raman teaches the creation of a structured document for user interaction based on attributes and classification, but it does not expressly teach a key phrase.

Josephson expressly teaches the use of a key phrase for invoking a presentation action. See, Josephson, paragraphs [0191]-[0259].

It would have been obvious to one of ordinary skill in the art at he time of the invention to combine the teachings of Raman and Josephson to result in a user interactive control of a structured document using a list of attributes, classifications (tags), and associated scope.

Both Raman and Josephson are related to the art of user interactions with computers to control document production, including via voice recognition commands, and both use tag, or classification, structured documents. The suggestion or motivation for combining the references is found in Josephson, discussing the invention as an improvement to "voice-mousing" and control of "select next" type commands, which is one type of navigational control discussed in Raman. See, Josephson, paragraphs [0008]-[0010], and see, Raman, col. 7, lines 5-50.)

Regarding **claims 16 and 24**, claims 16 and 24, incorporate substantially similar subject matter as claimed in claim 8, and are rejected along the same rationale.

It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

Response to Arguments

11.   Applicants' arguments filed September 27, 2006 have been fully considered, but they are not persuasive.

        Applicants argues: Raman Does not Disclose Creating A presentation Grammar For The Structured Document, Wherein The Presentation Grammar For The structured document includes grammar elements each of which includes a structural element identifier for at least one structural element of the structured document. (pg 5, paragraph 3)

        The Examiner Respectfully disagrees:

        The non-standard terms such as "presentation grammar" are not read as limiting on the reference. While Raman may not use the same terms created by the Applicants in their invention, Raman does teach the same invention. The function of the "presentation grammar" in the method of claim 1 is to associate a action in the document presentation with a command, such as the spoken command "next page" associated with the document on the computer changing to the next page of the text. Raman, fully anticipates the "presentation grammar" by teaching association of the presentation of information tied to control by voice commands. See, Raman, claim 22.

        Applicant Argues: Raman Does not enable each and every element of the claims of the present application. (See pg 7, paragraph 3)

        However The Examiner respectfully disagrees: Because Raman teaches the elements of claim 1 it is enabling and does not rely on applicants claim possession with the knowledge of a skilled artisan to derive such teahcings.

        Applicant Argues: Raman does not place in the possession of a person of ordinary skilled in the art creating a presentation grammar for the structured document, wherein the presentation grammar for the structured document includes grammar elements each of which includes a structural element identifier for at least one structural element of the structured document. (see pg 9, paragraph 2)

        The Examiner Respectfully disagrees: Raman teaches marking a document by sections. See, Raman, col. 4, lines 38-43. Raman teaches verbal commands to control the presenter. See, Raman, col. 3, lines 30-34. Raman teaches that "the user can browse through the document taking the structure of the document into consideration." See, Raman, col. 2, lines 42-44. It is inherent within the ability to verbally "browse through the document" based on its

structure, combined with the fact that the document is marked according to structure, and the fact that verbal

commands can control the "browsing," that Raman contains what the Applicants have labeled a "grammar" with a

"structural element identifier." Raman does not use the Applicants' non-standard terminology, but Raman teaches

the invention claimed.

Applicant Argues : The combination of Raman and Josephson Does not Teach All Of Applicants claim limitations of

dependent claims 8, 16 and 24.

However the Examiner Respectfully disagrees: In the broadest reasonable interpretation of the claim, the

invention of a "presentation document" is comprised of two parts, the structural document part, and the functionally

operation part, as interpreted by the Examiner as follows:

Structurally, a markup language document (such as XML or HTML) is tagged to individually identify sections

of the document (such as pages, paragraphs, titles, headings, etc.).

Functionally, certain keywords are created that, when spoken, cause the program to perform a certain

function (such as keyword "page down," which, when spoken, will cause the program to go to the next page of the

document).

In summary, there are two parts to the invention -- the markup language document itself, with tags to delimit

sections, and methods that when used, will effect the document on a section-by-section basis.

Raman teaches the structural document part, teaching a source document with marks to define the

structure. See, Raman, figure 3, element 310, teaching document section identification in HTML, and elements 320,

360, 361, and 362, teaching marked sections of the document such as paragraph, title, heading, and see col. 4, lines

38-43. Raman further teaches the sectioning of the document into nested trees, wherein the nodes define the

sections of the document. See, Raman, col. 4, lines 44-64.

Raman teaches the functional operation of the invention, teaching a speech recognizer connected to a voice

input unit controlling a presentor. See, Raman, col. 3, lines 30-34. In general, Raman teaches the creation of a

structured document for user interaction based on attributes and classification, but it does not expressly teach a key

phrase.

Josephson expressly teaches the use of a key phrase for invoking a presentation action. See, Josephson,

paragraphs [0191]-[0259].

It would have been obvious to one of ordinary skill in the art at he time of the invention to combine the teachings of Raman and Josephson to result in a user interactive control of a structured document using a list of attributes, classifications (tags), and associated scope.

Both Raman and Josephson are related to the art of user interactions with computers to control document production, including via voice recognition commands, and both use tag, or classification, structured documents.

The suggestion or motivation for combining the references is found in Josephson, discussing the invention as an improvement to "voice-mousing" and control of "select next" type commands, which is one type of navigational control discussed in Raman. See, Josephson, paragraphs [0008]-[0010], and see, Raman, col. 7, lines 5-50.)

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manglesh M. Patel whose telephone number is (571) 272-5937. The examiner can normally be reached on M, W 6 am-3 pm T, TH 6 am-2pm, Fr 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Manglesh M. Patel
Patent Examiner
April 11, 2007

CESAR PAULA
PRIMARY EXAMINER